

BILL NO. R-78-01-21

RESOLUTION NO. R-03-78

A RESOLUTION IN SUPPORT OF REQUEST FOR
ACTION BY CIVIL RIGHTS DIVISION OF
OFFICE OF REVENUE SHARING. *Regarding Affirmative Action*

WHEREAS, heretofore on October 28, 1977 the President
of the Common Council of the City of Fort Wayne requested
a Revenue Sharing Compliance Review by the Secretary of
the Treasury; and,

WHEREAS, on November 16, 1977 the Civil Rights Division
of the Office of Revenue Sharing assured said President
that it was taking appropriate action to ensure that rules
and regulations pertaining to said Revenue Sharing funds are
followed.

NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL OF
THE CITY OF FORT WAYNE, INDIANA:

That the Common Council of the City of Fort Wayne, Indiana
does hereby request a continuation of the investigation by
the Civil Rights Division of the Office of Revenue Sharing
so as to ensure that the rules and regulations *as to government action* governing
expenditures of Revenue Sharing funds are followed.

Donald Schmidt - Councilman

John Nuckols
John Nuckols - Councilman

Winfield Moses
Winfield Moses - Councilman

Paul Burns - Councilman

Vivian S. Schmidt
Vivian Schmidt - Councilman

William T. Hinga - Councilman

James S. Stier
James S. Stier - Councilman

Fred Hunter - Councilman

Samuel J. Talarico
Samuel J. Talarico - Councilman

Approved as to form and legality
this 10th day of January, 1978.

John H. Logan
John H. Logan, Attorney for Common Council

Read the first time in full and on motion by _____, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on _____ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATE: _____

CITY CLERK

Read the third time in full and on motion by John Nuckols, seconded by Stier, and duly adopted, placed on its passage.

PASSED (~~LOSE~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>5</u>	<u>3</u>	_____	<u>1</u>	_____
<u>BURNS</u>	_____	<u>✓</u>	_____	_____	_____
<u>HINGA</u>	_____	_____	_____	<u>✓</u>	_____
<u>HUNTER</u>	_____	<u>✓</u>	_____	_____	_____
<u>MOSES</u>	<u>✓</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	_____	<u>✓</u>	_____	_____	_____
<u>SCHMIDT, V.</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 1/10/78

CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(ZONING MAP)~~ ~~(GENERAL)~~ ~~(ANNEXATION)~~ ~~(SPECIAL)~~ ~~(APPROPRIATION)~~ ORDINANCE (RESOLUTION) No. R-03-78 on the 10th day of Jan., 1978.
ATTEST: (SEAL)

Charles B. Westerman
CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____, at the hour of _____ o'clock _____ M., E.S.T.

CITY CLERK

Approved and signed by me this _____ day of _____, 19____, at the hour of _____ o'clock _____ M., E.S.T.

MAYOR



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

Director
Office of Revenue Sharing
Treasury Department
Washington, D.C.

Dear Director:

For the past several years concerned citizens have made diligent attempts to implement an affirmative action and equal employment opportunity program within the City Government of Fort Wayne, particularly the Fort Wayne Police and Fire Departments. These efforts have been unsuccessful. Therefore, pursuant to 31 CFR sec. 51.61, please accept this letter as a formal request for a Revenue Sharing Compliance Review on behalf of all current and future minority employees of the Fort Wayne Police and Fire Departments who have sought or shall seek promotions or transfer, and all current or future minority and female applicants for employment who are being or shall be discriminated against on account of race, national origin, or sex.

In support of this request, the following information is submitted:

- 1) A copy of the City of Fort Wayne Affirmative Action Program. Your attention is directed to the utilization chart for the Police and Fire Departments which reveals: (a) That, of the 336 employees of the Fort Wayne Police Department, 22 are black (6.5% in a city of 15% blacks) and 23 are female (6.8%); (b) That, of the 273 employees of the Fort Wayne Fire Department, 9 are black (3.2%) and none are women;
- 2) Copies of the Title VII complaints filed by Police officers Nathan, Hatcher, Sanders, Spearman, Pruitt, and Mosley;
- 3) A copy of a letter dated July 28, 1976 from James C. Graham, Jr., former Executive Director of the Metropolitan Human Relations Commission, to Henry Tribble, Chief Compliance Officer of the Law Enforcement Assistance Administration;
- 4) Further:
 - (a) Of the employees of rank in the Fort Wayne Police and Fire Departments, none are Black, Spanish-surnamed or female;
 - (b) Unvalidated written examinations, having a disparate racial impact, are administered for hiring and promotion;

- (c) Evaluations, background investigations and other employment criteria exist which have negative racial impacts and which are not job-related; and
- (d) A Seniority preference exists for promotion which is not job-related and which has a disparate racial impact.

... In addition, as you review the City-wide utilization charts in the enclosed Affirmative Action publications, you may find evidence of the substantial underrepresentation of minorities and women in other departments, particularly in administrative and professional positions. Should you believe that to be the case please consider this letter to be a formal request for a city-wide Revenue Sharing Compliance Review.

Please notify me promptly if you intend to pursue this matter.

Sincerely,

John Nuckols
President
City Council

JN/jaf

Enclosures



OFFICE OF THE SECRETARY OF THE TREASURY

OFFICE OF REVENUE SHARING
2401 E STREET, N.W.
COLUMBIA PLAZA HIGHRISE
WASHINGTON, D.C. 20226

634-5457
5740

NOV 16 1977

Dear Mr. Nuckols:

This letter is in response to your correspondence of October 28, 1977 to the Director of the Office of Revenue Sharing.

The Civil Rights Division of the Office of Revenue Sharing is in the process of gathering data relative to your complaint against the City of Fort Wayne, Indiana. We will take appropriate action, as necessary, to ensure that our rules and regulations governing the expenditure of revenue sharing funds are followed.

A copy of the Interim Regulations is enclosed for your information.

A staff member will contact you at a later date to discuss the allegations.

Sincerely yours,

Johnnie M. Franklin
Civil Rights Division
Office of Revenue Sharing

Mr. John Nuckols
President, City Council
One Main Street
City-County Building
Fort Wayne, Indiana 46802

Enclosure